



DEPARTMENT OF THE NAVY
BASE REALIGNMENT AND CLOSURE
PROGRAM MANAGEMENT OFFICE WEST
33000 NIXIE WAY, BLDG 50 Suite 207
SAN DIEGO, CA 92147

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Ser BPMOW.rdc/265
August 20, 2019

Ms. Aria Bendix
Business Insider
One Liberty Plaza, 8th Floor
New York, NY 10006

Dear Ms. Bendix:

This letter responds to your Freedom of Information Act (FOIA) request of December 7, 2018 in which you seek the following:

- Post-2013 communications (emails, papers, reports, memos, and letters) between the U.S. Navy and Lennar Corporation that discuss Tetra Tech, Inc.; TestAmerica Laboratories, Inc.; and/or The Treasure Island and Yerba Buena Island development project in San Francisco.

Your request was received by this office on January 9, 2019 and assigned file number DON-Navy-2019-001858. On January 28, 2019, we notified you that additional time was required to respond to your request; and on May 15, 2019, we notified you that we would respond by September 30, 2019.

We are writing to respond to your request. After a thorough search of our files, it has been determined that the Navy Base Realignment and Closure Program Management Office has no records responsive to your request.

In view of the above, you may consider this to be an adverse determination that may be appealed. Since you have created an account in FOIA online, you may submit an appeal directly within the web-based system. To do this, you would log in to your account, retrieve your original request, and then click on the "Create Appeal" tab in the left-hand column. The basic information from your request will be duplicated for you, and then you can type in the basis of your appeal. If you prefer to use regular mail, you may submit an appeal to:

The Department of the Navy
Office of the General Counsel (ATTN: FOIA APPEALS)
1000 Navy Pentagon, Room 5A532
Washington, DC 20350-1000

Your appeal, if any, must be transmitted (if appealing by FOIA ONLINE) or postmarked (if appealing by mail) within 90 calendar days from the date of this letter. Please be advised that a FOIA requestor has the burden of proving timely submission of an appeal. Additionally, you must include in your appeal a statement indicating why you believe your appeal should be

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granted, and you are encouraged to also include a copy of your initial request and a copy of this letter.

For any further assistance regarding any aspect of your request, you have the right to contact the Department of the Navy FOIA Public Liaison, Mr. Christopher Julka, at Christopher.A.Julka@navy.mil or (703) 697-0031. Additionally, you have the right to contact the Office of Government Information Services (OGIS) to inquire about the FOIA mediation services they offer. The contact information for OGIS is: Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road-OGIS, College Park, Maryland 20740-01, e-mail at ogis@nara.gov; telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769.

Any questions concerning this matter should be directed to Ms. Sarah Ann Moore who may be contacted at sarah.moore@navy.mil or 619-524-5727.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kimberly A. Ostrowski', with a long horizontal stroke extending to the right.

KIMBERLY A. OSTROWSKI
Director